

Mr Ashworth
Steam Packet House
Steam Packet House, 76 Cross Street
Manchester
M2 4JG

Letter Printed 18 November
2019

FOR DECISION DATED
18 November 2019

Dear Sir/Madam

The Town and Country Planning Act 1990, (as amended)
The Town And Country Planning (General Permitted Development) (England)
Order 2015 (as Amended)
The Town and Country Planning (Development Management Procedure)
(England) Order 2015

Application: 19/2981/TEL
Your ref: HAM SAILING CLUB
Our ref: DC/VAA/19/2981/TEL
Applicant: .
Agent: Mr Ashworth

Thames Young Mariners Base Riverside Drive Ham Richmond

for

Installation of Telecommunications 18 metre lattice tower with 6 no. antenna at the top, installatio of 4 dishes. Installation of 2no. GPS modules above the antenna. Installation of 15 no. RRH's fixed to tower leg. Installation of 18 no. ERS units fixed to tower legs. Ancillary equipment.

I refer to your letter and attached drawings.

This Council does consider that it is necessary for it to consider the siting and appearance of the proposed installation and having done so refuses permission. See the attached schedule for the reasons and informatives for this decision.

Yours faithfully



Robert Angus

Head of Development Management

SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 19/2981/TEL

APPLICANT NAME

.
260 Bath Road
Slough
SL1 4DX

AGENT NAME

Mr Ashworth
Steam Packet House
Steam Packet House, 76 Cross Street
Manchester
M2 4JG

SITE

Thames Young Mariners Base Riverside Drive Ham Richmond

PROPOSAL

Installation of Telecommunications 18 metre lattice tower with 6 no. antenna at the top, installatio of 4 dishes. Installation of 2no. GPS modules above the antenna. Installation of 15 no. RRH's fixed to tower leg. Installation of 18 no. ERS units fixed to tower legs. Ancillary equipment.

The reason(s) and/or informatives(s) applicable to this application are as follows:

SUMMARY OF REASONS AND INFORMATIVES

REASONS

U0071574	Siting and Appearance
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INFORMATIVES

U0038592	NPPF REFUSAL- Para. 38-42
U0038432	Decision Documents

DETAILED REASONS AND INFORMATIVES

DETAILED REASONS

U0071574 Siting and Appearance

Under Schedule 2, Part 16 of the General Permitted Development Order 2015 (as amended), the Local Planning Authority has determined that Prior Approval is required and hereby REFUSED as to the siting and appearance of the proposed development, for the following reason:

The proposed 18-metre lattice tower and associated telecommunications equipment, by reason of its siting, excessive size, height and inappropriate design, would be an incongruous and visually intrusive structure which would harm the character and appearance of Riverside Drive and the visual amenity of a wide area thereby failing to preserve either the setting of, openness or character and appearance of the Metropolitan Open Land, Site of Importance for Nature Conservation and Thames Policy Area, of which it forms part due to its highly visible siting. Further, the 'very special circumstances' to justify a telecommunications mast in Metropolitan Open Land have not been demonstrated and are not considered to exist and the proposal would therefore be contrary to in particular policies LP1, LP8, LP13, LP18 and LP 33 of the Adopted Local Plan (2018), supplementary planning guidance 'Telecommunication Equipment' (2006), policies C1 and G1 of the Adopted Ham & Petersham Neighbourhood Plan 2018-33 and associated policies 7.4, 7.6 and 7.17 of The London Plan (2016).

DETAILED INFORMATIVES

U0038592 NPPF REFUSAL- Para. 38-42

In accordance with paragraphs 38-42 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- o Providing a formal pre-application service
- o Providing written policies and guidance, all of which is available to view on the Council's website
- o Where appropriate, negotiating amendments to secure a positive decision
- o Determining applications in a timely manner.

In this instance:

- o The applicants did not seek formal pre-application advice, and the scheme was found to be contrary to policy and guidance, and subsequently refused. The Council is ready to enter into discussions to advise the applicants of relevant policy and guidance; and where possible assist in the preparation of a new planning permission.

U0038432 Decision Documents

For the avoidance of doubt the Drawing(s) No(s) to which this decision refers are as follows:-

Drawings Ref. No's: 100A, 200A, 201A, 300A, 400A and 301A; The site specific Supplementary Information document; General Background Information for Telecommunications Development document; Radio Planning and Propagation document; Health and Mobile Phone Base Stations document; ICNIRP declaration and clarification statement. (Received 03.10.2019)

TEL Applications

Making an Appeal – Summary Guidance

Whether to appeal

If the Local Planning Authority (LPA) turn down your application, you should look carefully at the reasons why they turned it down before you make an appeal. You should speak to the LPA to see if you can sort out the problem - perhaps by changing your proposal. An appeal should only ever be a last resort.

Type of appeal:

Planning Application

Appeal time:

Within six months of the date of the council's decision letter.

Who can appeal?

The applicant or their agent may lodge an appeal.

The right of appeal:

You can appeal against the council's decision:

- If you applied to the Local Planning Authority and they:
 - Refused permission;
 - Gave permission but with conditions you think are inappropriate;
 - Haven't approved the details of a scheme which they or the Secretary of State have already given outline planning permission for or;
 - Have approved the details of a scheme but with conditions you think are inappropriate or unreasonable.
- If the LPA rejected a proposal arising from a condition or limitation on a planning permission.
- If the LPA don't decide your application within the time allowed. Normally the time allowed is eight weeks from when they accept your application.
- If the LPA told you they needed more information before they could decide your outline planning application, but you do not want to supply this.

You will make your appeal to the Department for Communities and Local Government of which the Planning Inspectorate is a part. Most are decided by specialist officers in the Planning Inspectorate. Only the person or business applying for consent to display an advertisement may appeal. If the council issues a discontinuance notice, only those on whom the notice is served may appeal.

The appeal process:

Appeals must be made

- Online at www.planninginspectorate.gov.uk, or
- Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

It will be expected that all appeal documentation will be submitted electronically.

The process is fully documented on the website of the Planning Inspectorate www.planninginspectorate.gov.uk, however in summary there are three main types of appeal:

Written procedure:

Written evidence is considered from the applicant/agent/business and the council. The council will send copies of any letters of objection or support they received when considering your application. Within six weeks of the Inspectorate receiving your appeal forms the council will send a copy of their statement to the Inspectorate. You must make any comment on these within three weeks.

Hearing procedure:

Hearings allow you and the council to exchange views and discuss your appeal. Before the hearing the council will send a copy of their statement to you and the Inspectorate. You can comment on their statement in writing otherwise the Inspectorate will treat the reasons given in your appeal form as the basis of your case for discussion.

Hearings are usually held in council offices. The Inspector leads the discussion and invites the people involved to put their points across. The Inspector will visit the site unaccompanied before the hearing and will make a further accompanied visit as part of the hearing.

Inquiry procedure:

Inquiries are normally for large-scale applications. A public inquiry is a formal procedure in which both parties have legal representation.

Making your views known on someone else's appeal:

The LPA will notify anyone who took part in the consultations when you first applied for permission that you are appealing. For appeals decided by hearing or inquiry the LPA will tell interested people when and where this will be and let them know that they can attend. The Inspectorate will also take account of the views of certain groups who have a right to comment, for example, owners of a site, local amenity groups and so on.

Costs:

Normally you and the council will pay for your own expenses in an appeal. You can only claim costs when you can show that the council have behaved in an unreasonable way causing unnecessary expense.

Who to contact?

The Planning Inspectorate

Website www.planninginspectorate.gov.uk

Email enquiries@pins.gsi.gov.uk

Telephone 0303 444 5000

Write to Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

London Borough of Richmond upon Thames

Website www.richmond.gov.uk/planning

Email planningappeals@richmond.gov.uk

Telephone 020 8891 1411 for advice

Write to The Appeals Officer, Development Control, Civic Centre, 44 York Street, Twickenham TW1 3BZ